

UNITED STATES DISTRICT  
COURT OF MASSACHUSETTS

CHRISTOPHER P. KAUDERS, LEE C.S. KAUDERS, AND HANNAH KAUDERS,	)	
	)	
PLAINTIFFS	)	
	)	
v.	)	CIVIL ACTION NO.
	)	
UBER TECHNOLOGIES, INC. and RASIER LLC,	)	
	)	
DEFENDANTS.	)	

**NOTICE OF REMOVAL**

Defendants Uber Technologies, Inc. and Rasier LLC (“Defendants”), file this Notice of Removal in accordance with 28 U.S.C. §§ 1331, 1441(b), 1442(a)(1) and 1446 and article I, section 8, clause 17 of the U.S. Constitution and hereby remove this action from the Superior Court of the State of Massachusetts, Suffolk County (the “Superior Court Action”) to the United States District Court for the District of Massachusetts. As their reasons for removal, Defendants state:

**BACKGROUND**

1. By Summons and Complaint, Plaintiffs Christopher P. Kauders, Lee C.S. Kauders, and Hannah S. Kauders (“Plaintiffs”) commenced a civil action against Defendants in Suffolk County Superior Court titled *Christopher P. Kauders, Lee C.S. Kauders, and Hannah S. Kauders v. Uber Technologies, Inc. and Rasier LLC*, C.A. No. 16-2180D. A true and correct copy of the Civil Action Cover Sheet and the Complaint that Plaintiffs caused to be served upon

Defendants is attached as Exhibit A and constitutes all processes, pleadings and orders served upon Defendants in this action to the present date.<sup>1</sup> 28 U.S.C. § 1446(a).

2. Defendant Uber Technologies Inc. was served on July 15, 2016 and Defendant Rasier LLC was served on July 21, 2016. The instant Notice of Removal is being filed within 30 days of the date on which Defendants were served with the Complaint in the Superior Court Action. 28 U.S.C. § 1446(b).

3. Attached as Exhibit B is a copy of the Notice of Filing of Notice of Removal, the original of which is being filed with the Suffolk County Superior Court. 28 U.S.C. § 1446(d).

### **DIVERSITY JURISIDCTION**

4. This Court has diversity jurisdiction over the Complaint pursuant to 28 U.S.C. § 1332 because the parties are citizens of different states and the matter in controversy exceeds the sum or value of \$75,000.

5. Plaintiffs allege they are residents of the Commonwealth of Massachusetts.

6. Defendant Uber Technologies, Inc. is a foreign corporation organized under the laws of the State of Delaware with its principal place of business in San Francisco, California.

7. Defendant Rasier, LLC is a wholly owned subsidiary of Uber. Rasier is a foreign limited liability company organized under the laws of the State of Delaware with its principal place of business in San Francisco, California.

8. Although the Complaint does not specify the precise amount of damages sought, Plaintiffs' written demand letter pursuant to M.G.L. c. 93A, § 9, which is attached as Exhibit C

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<sup>1</sup> On August 3 and 12, 2016, Plaintiffs' counsel agreed to redact Defendants' monetary settlement offer from Exhibit D of the Complaint. Accordingly, the settlement offer has been redacted.

to the Complaint, sought \$250,000 in damages. In addition, the Civil Action Cover Sheet identifies damages in the amount of \$250,000.

9. Because the requirements for diversity jurisdiction are satisfied, this Court has jurisdiction over all claims and parties pursuant to 28 U.S.C. § 1332(a). The Complaint is properly removed pursuant to 28 U.S.C. §§ 1441 and 1446.

**REMOVAL TO THIS DISTRICT IS PROPER**

10. This Notice of Removal is being filed in the District of Massachusetts, the District Court of the United States for the district and division within which the Superior Court Action is pending. 28 U.S.C. §§ 1441(a) and 1446(a).

WHEREFORE, Defendants respectfully request that this Action be removed and hereinafter proceed in the United States District Court for the District of Massachusetts.

Respectfully submitted,

**UBER TECHNOLOGIES, INC. AND  
RASIER LLC**

By their attorneys,

/s/ Carie A. Torrence

Carie A. Torrence (BBO #675237)

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Dated: August 15, 2016

**CERTIFICATE OF SERVICE**

I, Carie A. Torrence, hereby certify that on this 15th day of August, 2016, the foregoing Notice of Removal was filed electronically through the ECF system, is available for viewing and downloading from the ECF system, will be sent electronically to counsel of record as registered participants identified on the Notice of Electronic Filing and via first class mail to all non-registered participants identified on the Notice of Electronic Filing.

/s/ Carie A. Torrence  
Carie A. Torrence